

Student Court meeting minutes

9 April 2013

Meeting called by: Stephany Haack—Chief Justice

Note taker: Nathaniel Krueger—Associate Justice

Attendees: Stephany Haack—Chief Justice, Adrian Canilho-Burke—Associate Justice,
Nathaniel Krueger—Associate Justice, Mike Stearney—Advisor (nonvoting)

14:40—Call to order

- Approval of minutes from 26 March 2013
 - Motion to approve
 - Motion by Adrian, second by Stephany
 - Discussion
 - No discussion
 - Voice vote: passed
- Candidate Eligibility
 - Presented by Mike: One of the senate candidates on the ballot has a GPA of 2.491. [Identity of the candidate was not revealed. For semantic purposes, the candidate shall be referred to in these minutes as “he”.] While technically below the 2.5 requirement in the election rules, it is greater than the 2.0 requirement in the SGA constitution. Thus, while the candidate is technically not eligible for the ballot, he is eligible to hold office and participate in SGA. There are three available options: disqualify the candidate, use standard mathematical rounding to round his GPA up to 2.5 and allow him to remain on the ballot, allow him to run with the provision that if his GPA has not improved to 2.5 by the new semester he will be removed.
 - Discussion
 - Because the SGA constitution allows participation in SGA with a 2.0 GPA, The candidate could simply apply for senate membership on or after May first and join the senate anyway. Disqualifying him from the ballot would effectively do nothing except reveal to everyone who’s GPA is below 2.5.
 - Rounding his GPA is kind of an arbitrary standard. Why round to one decimal place? What if next time we want to round to no decimal places?
 - And as for removing him if his GPA doesn’t improve, he would be already a member of the senate and fully meeting all Constitutional qualifications for that position. Removing him at that point seems very bizarre. Does the court have the power to retroactively remove someone from the ballot after the election results have been certified and the person in question is in office and meeting all constitutional qualifications for that office?
 - The larger question has to do with the election rules themselves. Is it a violation of the constitution to impose stricter requirements for getting on the ballot than for holding office? The Constitution is clear about the qualifications required to be a member of SGA and barring people from the ballot even when they meet these qualifications constitutes a violation.

- If it is decided that the Election rules are in violation, then there is no cause make a decision of candidate eligibility in this case because the candidate meets the qualifications in the Constitution.
 - Motion to decide: The qualification requirements in the election rules for candidates entering onto the ballot cannot be more restrictive than the qualification requirements for SGA membership in the Constitution, and therefore the Election Rules' GPA requirement is in violation of the SGA Constitution.
 - Motion by Nathaniel, second by Adrian
 - Roll Call vote: passed 2-0-0
 - Adrian—yes
 - Nathaniel—yes
 - Stephany—abstain
 - Nathaniel will inform senate of decision.
- Student Elections and Debate
 - Debate format and questions decided. Wording of questions to be finalized by Stephany with Mike.
 - No response yet from PhlashTV. Nathaniel will attempt to contact again.
 - Nathaniel will inform senate of elections progress.